



Tyson Foods, Inc.

October 28, 2010

Via regulations.gov and U.S. Mail

Water Docket
U.S. Environmental Protection Agency
Mail code: 28221T
1200 Pennsylvania Avenue, NW
Washington, DC 20460
Attention: Docket ID No. EPA-R03-OW-2010-0736

Re: EPA-R03-OW-2010-0736
Draft Chesapeake Bay Total Maximum Daily Load

Dear Sir or Madam:

Tyson Foods, Inc. (Tyson) respectfully requests that the U.S. Environmental Protection Agency (EPA) provide a 120 day extension for comments on the draft Chesapeake Bay Total Maximum Daily Load released for public comment on September 24, 2010. 75 Fed. Reg. 57776 (Sept. 22, 2010) (Docket Number EPA-R03-OW-2010-0736) (hereinafter Draft TMDL). We all share the goal of ensuring the health and water quality of the Chesapeake Bay, but more time is needed for individuals and companies like Tyson to comment on such a significant document and associated materials. Furthermore, Tyson must also comment on the various state Watershed Implementation Plans during this same timeframe.

The 45 day comment period that EPA has provided does not allow for a full and careful review of the Draft TMDL. In EPA's documents, the agency acknowledges that the "Chesapeake Bay TMDL is the largest, most complex TMDL in the country, covering 64,000-square-mile area in seven jurisdiction." Moreover, in the document "A Coming Together for Clean Water: EPA's Strategy For Achieving Clean Water," that "the Chesapeake Bay watershed will be a model for watershed protection in other parts of the country." Hence, the Draft TMDL represents one of the most important Clean Water Act activities in the history of the Act. It is impossible to understand why the EPA is rushing the science, the policy decisions, and the public notice and comment period for such an important action. The importance of this action necessitates giving the public at least 120 days to comment on this highly complex and nationally important Draft TMDL.

Extending the public notice period to a minimum of 120 days will allow Tyson and other potentially effected entities to review the proposal and make meaningful comments. Thank you for your consideration of this important issue.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin J. Igli".

Kevin J. Igli
SVP/Chief Environmental, Health & Safety Officer